

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MEADOWS FINANCIAL SYSTEMS,
LLC,

Plaintiff,

v.

HUNGRY HOWIE'S PIZZA & SUBS, INC.,

Defendant

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C.A. No. 6:12cv00825

AGREED MOTION TO DISMISS WITH PREJUDICE

Meadows Financial Systems, LLC. ("Meadows") and Hungry Howie's Pizza & Subs, Inc. ("Hungry Howie's"), respectfully move the Court to dismiss the claims asserted against Hungry Howie's and in support thereof would show the Court as follows:

All matters in controversy between Meadows and Hungry Howie's related to this action have been resolved, and the parties therefore move to dismiss all claims that were brought or that could have been brought by Meadows in this case arising out of the transactions and occurrences that were the subject of this case, with prejudice to the right to pursue any such claims in the future. Meadows and Hungry Howie's further move that each party shall bear its own attorneys' fees and costs.

WHEREFORE, PREMISES CONSIDERED, Meadows and Hungry Howie's request that the claims asserted against Hungry Howie's be dismissed with prejudice and that each party shall bear its own attorneys' fees and costs.

DATED: March 1, 2013.

Respectfully submitted,

SPANGLER & FUSSELL P.C.

By: /s/ Andrew W. Spangler

Andrew W. Spangler, Esq.

Texas State Bar No. 24041960

email address: spangler@sfipfirm.com

SPANGLER & FUSSELL P.C.

208 North Green Street, Suite 300

Longview, TX 75601

Phone: (903) 753-9300

Fax: (903) 553-0403

James A. Fussell, III, Esq.

AR State Bar No. 2003193

email address: fussell@sfipfirm.com

SPANGLER & FUSSELL P.C.

211 N. Union Street, Suite 100

Alexandria, VA 22314

Phone: (903) 753-9300

Fax: (903) 553-0403

**ATTORNEYS FOR PLAINTIFF MEADOWS
FINANCIAL SYSTEMS, LLC**

FULBRIGHT & JAWORSKI L.L.P.

By /s/ Charles S. Baker

Charles S. Baker

Texas Bar No. 01566200

csbaker@fulbright.com

Richard S. Zembek

Texas Bar No. 00797726

rzembek@fulbright.com

Marc L. Delflache

Texas Bar No. 05725650

mdelflache@fulbright.com

Brett A. McKean

Texas Bar No. 24057994

bmckean@fulbright.com

FULBRIGHT & JAWORSKI L.L.P.

Fulbright Tower

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

Tel: (713) 651-5151

Fax: (713) 651-5246

**ATTORNEYS FOR DEFENDANT HUNGRY
HOWIE'S PIZZA & SUBS, INC.**

CERTIFICATE OF CONFERENCE

Plaintiff's counsel and Defendant's counsel conferred on March 1, 2013, regarding the requested relief. Both parties agree that the requested relief is appropriate.

/s/ Brett A. McKean

Brett A. McKean

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service, Local Rule CV-5(a)(3) on March 1, 2013.

/s/ Brett A. McKean

Brett A. McKean